

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN FEDERATION OF)	
GOVERNMENT EMPLOYEES, AFL-CIO,)	
et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:25-cv-10276
)	
CHARLES EZELL, ACTING DIRECTOR,)	
OFFICE OF PERSONNEL)	
MANAGEMENT, et al,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO DISMISS

Defendants respectfully move to dismiss the amended complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. The reasons for this motion are set forth in the accompanying memorandum.

Dated: May 8, 2025

Respectfully submitted,

/s/ Joshua E. Gardner
JOSHUA E. GARDNER
(FL Bar No. 302820)
Special Counsel

JASON ALTABET
Trial Attorney
KEVIN BELL
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L St. NW
Washington, DC 20005
Phone: (202) 305-7583

CERTIFICATE OF SERVICE

On May 8, 2025, I electronically submitted the foregoing document and accompanying memorandum with the clerk of court for the U.S. District Court for the District of Massachusetts, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).

/s/ Joshua E. Gardner
JOSHUA E. GARDNER
(FL Bar No. 302820)
Special Counsel